

THURSDAY, APRIL 11, 1889.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th, District, Brett, Bryant, Coulter, Crosby, Dismukes, Dunn, Hammond, Hardee, Hendry, Houstoun, Jenkins, Pirrong, Randell, Rogers, Rosborough, Schumacher, Swearingen, Tompkins, Tuten and Wilkinson—23.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Senators Drake and Coulter were excused until Monday morning.

INTRODUCTION OF BILLS.

By Mr. Houstoun:

Senate Bill No. 43:

To be entitled an act to establish a County Court in the county of Leon, to provide for the salary of the Judge thereof and for the appointment of a prosecuting attorney;

Which was read the first time and referred to the Committee on Judiciary.

By Mr. Randell:

Senate Bill No. 44:

To be entitled an act to provide for the payment of a capitation tax as a prerequisite for voting;

Was read the first time by its title and by request referred to the Committee on Privileges and Elections.

By Mr. Dunn:

Senate Bill No. 45:

To be entitled an act to provide for the appointment of a County Board of Health in and for the several counties in the State of Florida,

Was read the first time.

The following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 10th, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Joint Resolution No. 18:

To authorize the Comptroller to cancel certain tax sale certificates; also,

That the House has added Hon. M. M. Knight to the Committee to visit the convict camp, and respectfully ask the concurrence of the Senate therein; also,

That the House of Representatives has passed House Bill No. 50;

A bill to be entitled an act to empower the Governor, Treasurer and Comptroller to borrow money for State purposes,

And ask the concurrence of the Senate therein;

Documents accompanying.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Senate Joint Resolution No. 18:

To authorize the Comptroller to cancel certain tax sale certificates,

Was ordered to be enrolled.

Mr. Dunn moved that—

House Bill No. 50:

To be entitled an act to empower the Governor and Comptroller to borrow money for State purposes be taken up for consideration and be read the first time and referred to the Committee on Finance and Taxation.

Which was agreed to, the bill read the first time and so referred.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 10, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has added to the committee on the part of the House to visit the convict camp, Mr. McNeil of Holmes,

And ask the concurrence of the Senate therein.

Very Respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

On motion of Mr. Swearingen the Senate concurred in the addition to committee by the House of Representatives.

Mr. Rosborough moved that Mr. Swearingen be added to Committee to Visit Asylum.

Mr. Dismukes asked that the ruling of the Chair be given as to whether the Senate has the power to add to joint committees.

The Chair ruled that the Senate had the power to add,

Upon which Mr. Dismukes appealed from the decision of the Chair.

Upon the appeal the Chair was sustained.

Senator Swearingen, on motion of Mr. Rosborough, was added to the Committee to Visit the Insane Asylum;

Which was agreed to, and the addition made.

Mr. Dunn moved that the Secretary notify the House of all additions to committees.

By unanimous consent, Mr. Dismukes introduced the following:

Senate Concurrent Resolution No. 20:

Senate Concurrent Resolution for the appointment of a Joint Committee of the Senate and House of Representatives to visit the Seminary West of the Suwannee River:

Be it resolved by the Senate, the House of Representatives concurring, That a Joint Committee of two from the Senate and three from the House of Representatives be appointed to visit the Seminary West of the Suwannee River, located at Tallahassee, to inquire (1) into the charter, condition and pres-

ent value of its grounds, buildings and apparatus or other appliances for instruction; (2) into the scope of its curricula and the standard of scholarship maintained; (3) into the aims of said seminary, as set forth by its charter, and the amendments thereto, said committee to report the facts to the Legislature, with their opinion as to what legislation, to carry out more fully the aims of the institution and promote its usefulness to the State;

Which was read.

On motion of Mr. Dismukes the resolution was adopted.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 9, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has—

Added to the committee to visit the Deaf and Dumb Institute at St. Augustine, on the part of the House: Messrs. Baltzell, Christie and Hawley; also

That the House of Representatives has passed—

House Joint Resolution No. 10:

Relative to a committee of both Houses visiting the Insane Asylum at Chattahoochee; also

That Hon. C. F. Barber has been added to the committee to visit the East Florida Seminary on the part of the House.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

On motion of Mr. Dunn, the Senate concurred in the action of the House.

House Joint Resolution No. 10:

Relative to the Legislature making a visit to the State Insane Asylum at Chattahoochee,

Was read.

Mr. Hendry moved that House Joint Resolution No. 10 be concurred in.

Pending the consideration of which,

A message was received from the Governor.

Senator Dunn moved as a substitute that the Senate do not concur in Senate Joint Resolution No. 10;

Which was agreed to,

So the Senate refused to concur in House Joint Resolution No. 10.

Mr. J. L. Taylor of Leon, was invited to a seat within the Senate bar on motion of Mr. Houstoun.

Mr. Hammond, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 10, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

Senate Bill No. 20:

An act to amend section 4 of chapter 3721 of the Laws of Florida; also,

Senate Bill No. 26:

An act entitled an act to amend section one of an act entitled an act to provide for and regulate the payment of costs and expenses in certain cases of criminal prosecution by the State,

Have had the same under consideration and recommend that they do not pass.

Very respectfully,

E. M. HAMMOND,
Chairman Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 10, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

Senate Bill No. 19:

"An act to establish a Criminal Court of Record in the County of Lake,"

Have had the same under consideration; and after carefully examining the same, as well as the petition which accompanies it, said petition having attached to it the certificate of the Supervisor of Registration for Lake county, that the petition contains a majority of the registered voters of said county, report favorably thereon, and recommend that it do pass.

Very respectfully,

E. M. HAMMOND,
Chairman Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 11, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

Senate Bill No. 28:

A bill to be entitled an act to amend section 7 of chapter 140, Laws of Florida; also,

Senate Bill No. 29:

A bill to be entitled an act to establish a seal for the office of the Commissioner of Agriculture; also,

Senate Bill No. 30:

A bill to be entitled an act making the certificates of the Commissioner of Agriculture receivable in evidence;

Beg leave to report that they have had the same under consideration and recommend that they do pass.

Very respectfully,

E. M. HAMMOND,
Chairman Committee.

And the accompanying documents were placed among the orders of the day.

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 20:

To be entitled an act to amend section 4 of chapter 3721, of the Laws of Florida,

Was taken up for consideration, and on motion of Mr. Bryant was informally passed over.

Senate Bill No. 26 :

To be entitled an act to amend section 1 of an act entitled an act to provide for and regulate payment of costs and expenses in certain cases of criminal prosecutions by the State, Was taken up for consideration.

On motion of Mr. Bryant, Senate Bill No. 26 was informally passed over for the present.

Senate Bill No. 19 :

To be entitled an act to establish a Criminal Court of Record in the county of Lake,

Was read the second time.

On motion of Mr. Hammond, the rules were waived by a two-thirds vote and Senate Bill No. 19 was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 19, the vote was :

Yeas—Mr. President, Messrs. Bailey, 22d District, Brett, Bryant, Crosby, Dismukes, Dunn, Hammond, Hardee, Hendry, Houstoun, Kirk, Randell, Rogers, Rosborough, Schumacher, Swearingen, Tompkins, Tuten and Wilkinson—20.

Nays—None.

So Senate Bill No. 19, to be entitled an act to establish a Criminal Court of Record in the County of Lake, Was passed, title as stated.

On motion of Mr. Hammond the rules were waived by a two-thirds vote, and the passage of the bill by the Senate was ordered to be certified to the House immediately ;

It was so certified.

Mr. Dismukes was excused until Monday morning.

Senate Bill No. 29 :

To be entitled an act to establish a seal for the office of the Commissioner of Agriculture for the State of Florida,

Was read the second time.

On motion of Mr. Dunn the rules were waived by a two-thirds vote and Senate Bill No. 29,

Was read the third time and put upon its passage.

By unanimous consent Senator Rogers was allowed to amend—

Senate Bill No. 29,
As follows :

Amend in line 9, after word "all," the words "deeds conveying."

The amendment was adopted and the bill ordered to be engrossed.

Senate Bill No. 28 :

To be entitled an act to amend Section 7, chapter 140, Laws of Florida,

Was read the second time.

Pending the consideration of which

A message was received from the House of Representatives.

On motion of Mr. Hammond—

Senate Bill No. 28,

Was ordered to be engrossed and passed to its third reading.

Senate Bill No. 30 :

To be entitled an act making the certificates of the Commissioner of Agriculture receivable in evidence,

Was read the second time.

On motion of Mr. Rogers, the rules were waived by a two-thirds vote, and

Senate Bill No. 30

Was read the third time and put upon its passage.

Upon the passage of

Senate Bill No. 30

The vote was :

Yeas—Mr. President, Messrs. Bailey of 22d District, Brett, Bryant, Crosby, Dunn, Hammond, Hardee, Hendry, Houstoun, Kirk, Randell, Rogers, Rosborough, Schumacher, Swearingen, Tompkins, Tuten and Wilkinson—18.

Nays—None.

So Senate Bill No. 30 passed, title as stated.

On motion of Mr. Rogers the rules were waived by a two-thirds vote and the passage of

Senate Bill No. 30

Was ordered to be certified to the House of Representatives at once.

It was so certified.

By permission, Mr. Rogers, Chairman of the Committee on Agriculture, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., April 11, 1889.

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Agriculture, to whom was referred—

Senate Bill No. 9 :

To be entitled an act for the protection of game, wild birds, and birds of song and plumage,

Report that they have had the same under consideration and respectfully submit the accompanying bill as a substitute, in lieu thereof,

And recommend that the same do pass.

Very respectfully,

R. F. ROGERS,

Chairman Committee.

On motion of Mr. Rogers the rules were waived and substitute for Senate Bill No. 9 was read the first time in full.

Mr. Hardee moved that 150 copies of substitute for Senate Bill No. 9 be printed.

Mr. Dunn moved as a substitute that the substitute for Senate Bill No. 30 be laid on the table ;

Which was withdrawn.

Mr. Hardee's motion to print 150 copies was agreed to and the order made.

The President announced Messrs. Rosborough and Dunn as a committee on the part of the Senate to visit the East Florida Seminary ; also as a committee to visit the West Florida Seminary, Messrs. Houstoun and Dismukes ;

Which was ordered to be certified to the House at once.

It was so certified.

Mr. Hendry moved that the Senate take a recess until 4 o'clock P. M. ;

Which was agreed to.

So the Senate took a recess.

CONFIRMATIONS.

R. E. Rose, to be County Commissioner for District One, Osceola county.

H. M. Bratton, to be County Commissioner for District Two, Osceola county.

Thomas Johnson, to be County Commissioner for District Three, Osceola county.

Redding B. Parker, to be County Commissioner for District Four, Osceola county.

E. O. Morgan, to be County Commissioner for District Five, Osceola county.

R. L. Caruthus, to be County Commissioner for District One, Sumter county.

W. D. Hunter, to be County Commissioner for District Two, Sumter county.

Godfrey Tompkins, to be County Commissioner for District three, Sumter county.

George E. Lovell, to be County Commissioner for District, Four, Sumter county.

D. C. Jones, to be County Commissioner for District D Fiv Sumter county.

John Webb, to be Harbor Master for the port of Pensacola.

Loton M. Jones, to be Judge of the Criminal Court of Record of Duval county.

Albert W. Owens, to be County Solicitor of the Criminal Court of Record of Duval county.

B. F. Whitner, to be County Commissioner of District No. 1, Orange county.

C. E. Smith, to be County Commissioner for District No. 2, Orange county.

R. B. F. Roper, to be County Commissioner for District No. 3, Orange county.

Louis E. Massey, to be County Commissioner for District No. 4, Orange county.

W. J. Proctor, to be County Commissioner for District No. 5, Orange county.

John C. Avery, to be Judge of the Criminal Court of Record for Escambia county.

J. E. Younge, to be County Solicitor of the Criminal Court of Record for Escambia county.

Richard P. Daniel, to be a member of the State Board of Health.

William B. Henderson, to be a member of the State Board of Health.

William K. Hyer, to be a member of the State Board of Health.

FOUR O'CLOCK P. M.

The Senate resumed its session.

The President in the Chair.

The roll was called, and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 22d District, Baily 16th, Bryant, Brett, Crosby, Dunn, Hammond, Hardee, Hendry, Pirrong, Randell, Rogers, Rosborough, Schumacher, Swearingen, Tompkins, Tuten, and Wilkinson—18.

A quorum present.

On motion of Mr. Bryant messages from the House of Representatives were taken up for consideration, and the following was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 11th, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed Substitute for House Concurrent Resolution No. 6:

In relation to appointment of a committee to revise statutes;

And respectfully ask concurrence of Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Substitute for House Resolution No. 6 was read:

Mr. Rogers moved that the Senate concur in House Resolution No. 6;

Which was withdrawn.

Mr. Bryant moved that—

Substitute for House Resolution No. 6:

Relating to appointment of a commission to revise statutes, Be referred to the Judiciary Committee;

Which was agreed to, and the substitute so referred.

Mr. Tuten offered—

Senate Resolution No. 21:

Relating to appointment of a committee to visit the State Normal Schools at De Funiak and Tallahassee;

Which was read and, on motion of Mr. Tuten, was adopted.

Messrs. Tuten and Houstoun were appointed as said committee on the part of the Senate.

By permission Mr. Tuten, chairman of Committee on Claims, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 11, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Claims, to whom was referred—

Senate Bill No. 42,

Have had same under consideration and recommend that it do not pass; but would respectfully recommend the adoption of accompanying memorial to the Congress of the United States.

Very respectfully,

J. D. TUTEN,

Chairman Committee.

Substitute Memorial for Senate Bill No. 42:

Memorial to Congress of the United States for the relief of Wm. P. Head, of Hillsborough county,
Was read.

Mr. Bryant moved that the rules be waived and that the memorial be read the second time by its title;

Which was agreed to by a two-thirds vote, and the rules were waived and the memorial was read the second time by its title.

On motion of Mr. Bryant, the rules were further waived by a two-thirds vote,

And the memorial was read the third time and put upon its passage.

Upon the passage of the memorial, the vote was:

Yeas—Mr. President, Messrs. Bailey, 22d District, Brett, Bryant, Crosby, Dunn, Hammond, Hardee, Hendry, Kirk, Pirrong, Randell, Rogers, Rosborough, Schumacher, Swearingen, Tompkins, Tuten and Wilkinson—19.

Nays—None.

So the memorial passed, title as stated.

On motion of Mr. Randell, the rules were waived by a two-thirds vote, and the passage of the memorial was certified to the House of Representatives at once.

By permission, Mr. Hammond submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 11, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred—

The Substitute for Concurrent House Resolution No. 6;

In relation to appointment of a Committee to Revise Statutes,

Beg leave to report that they have considered the same; also,

That they have before them now a bill on the same subject, and are giving the same careful attention.

They also respectfully request that the House be notified of this fact, as a reason for non-concurrence in said House Concurrent Resolution No. 6.

Very respectfully,

E. M. HAMMOND,

Chairman of Committee.

On motion of Mr. Rogers, the report was adopted,

And the Secretary was ordered to notify the House of Representatives.

On motion of Mr. Houston, Mr. Randell was excused until Monday next.

Mr. Rogers moved that the Senate adjourn until 10 o'clock to-morrow morning;

Which was agreed to.

The Senate stood so adjourned.

FRIDAY, APRIL 12th, 1889.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Bailey, of 22d, Bailey of 16th, Brett, Bryant, Coulter, Crosby, Dunn, Hammond, Hardee, Hendry, Houston, Kirk, Pirrong, Rogers, Rosborough, Schumacher, Swearingen, Tompkins, Tuten and Wilkinson—21.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF RESOLUTIONS.

By Mr. Coulter:

Senate Joint Resolution No. 22:

Relating to the appointment by the Governor of three citizens of this State to examine the oyster beds of this State;

Which was read first time by its title and referred to Committee on Fisheries.

By Mr. Pirrong:

Senate Joint Resolution No. 23:

Instructing our Governor and Senators and requesting our Representatives in Congress to cause an investigation to be made to ascertain as to the legality of selections of swamp and overflowed lands and have such as have been legally selected, patented to the State;

Which was read the first time by its title.

On motion of Mr. Rosborough the rules were waived by a two-third vote and Senate Joint Resolution No. 23 was read the second time.

On motion of Mr. Rogers the rules were further waived and Senate Joint Resolution No. 23 was read the third time and put upon its passage.

Upon the passage of—

Senate Joint Resolution No. 23,

The vote was:

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Coulter, Crosby, Dunn, Hammond, Hardy, Hendry, Houston, Kirk, Pirrong, Rogers,